



10-30-06

Atty. Dkt. No. 040014-0178

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C.C.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Walsh et al.  
Title: SPOUT  
Appl. No.: 10/627,200  
Filing Date: 07/25/2003  
Examiner: Nicolas, Frederick C.  
Art Unit: 3754  
Conf. No.: 2702

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 904372333 US (Express Mail Label Number)	10/27/06 (Date of Deposit)
Carolyn Simpson (Printed Name)	
(Signature)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] The fee required for additional claims is calculated below:

	Claims		Extra			Additional
	As Amended	Previously Paid For	Claims Present	Rate	Claims Fee	
Total Claims:	40	-	48	= 0	x \$50.00 =	\$0.00
Independent Claims:	8	-	5	= 3	x \$200.00 =	\$600.00
First presentation of any Multiple Dependent Claims:			+ \$360.00	=		\$0.00
			CLAIMS FEE TOTAL	=		\$600.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	\$0.00
[ ] Extension for response filed within the second month:	\$450.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$600.00
[ ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
	Extension Fees Previously Paid:	\$0.00
	TOTAL FEE:	\$600.00

A credit card payment form in the amount of \$600.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10/27/06

By 

FOLEY & LARDNER LLP  
Customer Number: 26371  
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Keith D. Lindenbaum  
Attorney for Applicant  
Registration No. 40,365



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Carolyn Simpson (Printed Name)	
<i>Carolyn Simpson</i> (Signature)	

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated July 27, 2006, concerning the above-referenced patent application.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks/Arguments** begin on page 11 of this document.

Please amend the application as follows:

10/31/2006 MPBDEL1 00000101 10627200  
01 FC:1201  
600.00 OP